

Absent owners bring bad neighbors

Home buyers tell of drug sales, threats

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LANCASTER - Gang problems, open drug sales and threats from rowdy neighbors aren't part of the lifestyle residents anticipated when they purchased large new homes in west Lancaster.

But that's what home buyers experienced after moving into a development near 45th Street West and Avenue J-8.

Numerous owners who moved into homes in the Desert Sunsets tract last year say this is their reality.

The residents say the company sold many homes in the neighborhood to investors, who rented them out to problem tenants or left them vacant, with tall weeds filling the yard.

The weeds are still there, and although there have been some improvements, it was clearly not what the home buyers paying premium prices expected.

"We bought what was billed as a family-friendly subdivision, and that is not what they delivered," Christopher Yaussy said. "They have stuck homeowners into investment hell."

Yaussy and his wife sold their 1,500-square-foot Lancaster home to purchase a 2,300-square-foot home in the Desert Sunsets tract.

Not long after moving in last spring, problems began - not drive-by shootings and murders, but things one wouldn't expect in a move-up neighborhood where homes originally sold for between \$325,000 and \$360,000, and now go for \$100,000 more than that.

"Crime. Property theft, fistfights, verbal gang threats on the street, typical low socioeconomic behavior," Yaussy said, adding that some residents spray-painted their house numbers on the curb in black and red, colors of a notorious Los Angeles-based street gang.

A D.R. Horton development company sales manager said the company has the right to sell their homes "to whoever we want."

"It's not the builder's job to keep things safe," said Jim Blake, a vice president of sales and marketing. "We sell homes. We sell them to legitimate buyers. A builder can't keep Lancaster safe."

That responsibility falls to law enforcement.

In the company's Desert Sunsets tract, where homes range from 2,000 to 3,000 square feet, neighbors relate accounts of groups of young men milling around in the street, not moving aside for passing vehicles, instead making obscene gestures and slapping the vehicles.

Jesse Vizcarra has witnessed drug sales completed on several occasions, and watched people smoke dope in their front yards or in their cars in the middle of summer with the windows up.

Another neighbor, who asked for anonymity, said he was told he was a "marked man" by his neighbors, who claimed to be members of the Bloods street gang.

The resident, who moved from a nice Rancho Vista neighborhood, said one neighbor let his trash pile up outside for months, while others kept shopping carts outside their homes, staged dog fights on the sidewalk and urinated outside.

"Within a month (of moving in), a neighbor came over and asked me for Zigzags," said the man, referring to papers used to roll cigarettes, or joints.

"He asked if I wanted coke or speed - this was at 11:45 at night."

In August, a group of homeowners had a meeting with Blake and representatives from the Sheriff's Department's Lancaster Community Appreciation Project team.

LAN-CAP Sgt. Steve Sylvies said he is familiar with the neighborhood, and a review of the station records indicate a number of calls for service originating from the tract.

Shortly after the August meeting, residents say D.R. Horton contracted with a security guard for about six months to patrol the neighborhood, which the company had finished building.

"If you (the developer) didn't do anything wrong ... why would you hire a security company?" said Jesse Vizcarra.

Asked why a developer would pay for security once it sold the homes, Blake refused to comment further before discussing clearance of his comments with company legal counsel.

Blake initially commented on the problems late last year. Additional comments were requested Friday after spot-checking to determine if conditions within the development changed. Calls and e-mails placed Friday were not immediately returned.

The Vizcarras - Jesse and Natalie - have two young daughters and purchased their home in August 2004, before it was built.

The home purchase was something of a celebratory event after Jesse was released from a 10-year stint in the U.S. Army, on completion of serving combat tours in Afghanistan and Iraq.

"We had been married five years and had spent maybe two years of it together," he said. "This was going to be our time to settle down and be a family. I went from one battle to another, literally."

What is most aggravating to the Yaussys is that they were directed to sign owner-occupancy contracts promising they would live in the home as their principal residence for one year or pay a penalty of 10% of the base purchase price.

"Seller desires to discourage speculation to ensure the availability of 'owner occupied' financing for the project, to create a stabilized community of owner-occupied homes and to provide as many people as possible with the opportunity for home ownership," the contract addendum from D.R. Horton states.

Using real estate records, the Yaussys estimate that more than 40% of the homes in their neighborhood were sold to buyers who had no plans of living in the tract.

Six months after the homes were ready for occupants, many still sat empty, with knee-high weeds, dead lawns and lack of window coverings giving away their vacant status.

As recently as last week, a home on Vahan Court featured tall weeds where a well-kept lawn should have been.

Yaussy believes they were misinformed about the developer's intentions and declarations that the neighborhood would be owner-occupied, while instead selling a large number of homes to absentee investors.

One resident said when he was considering a purchase, he specifically asked sales agents if the company sold to investors and was assured that only owners would occupy the homes. Other residents say they were asked if they wanted to buy an extra home as an investment.

Blake, the D.R. Horton sales executive, said the company "does not mislead anybody in any way."

"There was no misleading whatsoever," he said.

When asked whether all owners were required to sign the owner-occupancy addendum, Blake said, "We can sell to whoever we want, and we can change our minds whenever we want."

In addition, Blake said the unhappy residents should watch what they say about the neighbors they accuse of lowering the quality of life.

"You have to be careful not to slander the people as undesirables. ... There are protected classes, and they're on the edge of infringing on someone else's rights here."

Gretchen Gutierrez, head of the local chapter of the Building Industry Association, said that "by and large," developers and loan companies require purchasers of new homes to live in the home for a year.

"From a lender perspective, you want to make sure the buyer is a good risk, someone who is invested in the home," Gutierrez said.

"From a developer perspective, they're looking to have established neighborhoods, good communities, making sure they're providing good neighbors. But of course, under the Fair Housing Act, you cannot discriminate with who you're selling to."

"It's up to the individual builder if they want to sell to an investor or not - it's their own internal company policy," Gutierrez added. "We do have a builder who had homeowners sign those documents who did not live up to the agreement, and the builder is taking legal action against someone who did not maintain control of the home."

D.R. Horton bills itself as "America's Builder" and is the country's largest home builder, with a presence in 25 states.

In the latest customer satisfaction ratings from J.D. Power and Associates, the company scored lowest among 13 builders active in Los Angeles and Ventura counties.

In recent months, Yaussy said, a number of the homes have been put up for sale, including homes that were occupied by problematic tenants.

In some cases, new families are buying the homes and sprucing them up. If this is a trend, it's a trend that Yaussy and others in the neighborhood hope will continue.

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